IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 22507 of 2004**

Between:

Kilari Kondaiah S/o.late yanadaiah
R/o.Sarpanch Pentrala Gram Panchayat, Lingasamudram (M),
Prakasam Dist. **..... PETITIONER**

AND

The Dist Panchayat Officer
Ongole, Prakasam Dist.

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of Mandamus declaring the action of the respondent herein in not passing any final orders in proceedings bearing RCC No.1307/2004 (PTS)/A1 dt 9-8-2004 as arbitrary illegal and violative of fundamental rights guaranteed under Art 14 of the Constitution of India and consequently direct the respondent herein to dispose of the said preoceedings frothwith pending before him and pass such other orders as

**Counsel for the Petitioner:MR.SAI GANGADHAR CHAMARTY**

**Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court at the stage of admission made the following :**

**ORDER:**

The petitioner herein stated to be elected sarpanch of Pentrala Gram Panchayat in the year 2002, while so, alleging certain irregularities, a show cause notice dated 9-8-2004 under Rule 42 (1) of G.O.Ms.No.30 dated 20-1-1995 was issued and petitioner was directed not to draw the money under J.G.S.Y funds. Questioning the said proceedings dated 9-8-2004, the present writ petition is filed.

The main contention of the learned counsel for petitioner is that the petitioner has submitted his explanation to the show cause notice on
25-8-2004 itself and so far no further steps were taken in the matter nor any orders were passed thereto.

Heard the learned counsel for petitioner and learned Government Pleader for Panchayat Raj. Both counsel agreed for disposal of the writ petition at the stage of admission.

Since, the petitioner contends that he has submitted his explanation to the show cause notice on 25-8-2004 itself and no further action was taken in the matter, I deem it appropriate to dispose of the writ petition with a direction to the sole

respondent to consider the explanation of the petitioner and pass appropriate orders in accordance with law, within a period of two weeks. Further, if no orders are passed within a period two weeks by the sole respondent, automatically the impugned proceedings dated 9-8-2004 shall stands suspended.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

07-12-2004

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Dist Panchayat Officer
Ongole, Prakasam Dist.

2.2CCs to G.P. for Panchayat Raj, High Court of A.P., Hyderabad (OUT)

3.2CD copies

*Form-NIC-OGS/WP{**MVK**}*